

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW-ACT22-3-C. Administrative Hearings: 40 CFR Part 22

1. AUTHORITY. To hold and preside over hearings, assess penalties, perform all applicable functions set forth in 40 CFR Part 22, and perform related duties which the Administrator is authorized to perform under section 325(b), (c), (d), and (f) of the Emergency Planning and Community Right-to-Know-Act (EPCRA).

2. TO WHOM DELEGATED. Regional Judicial Officer, Office of Regional Counsel (RC).

3. LIMITATIONS.

a. The Regional Administrators and the Administrative Law Judges may only exercise this authority.

c. These proceedings must follow the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits as set forth in 40 CFR Part 22.

4. REDELEGATION AUTHORITY. This authority may not be redelegated further.

5. ADDITIONAL REFERENCES.

a. EPCRA Section 325.

b. 40 CFR Part 22.

c. Chapter 22 delegation entitled Administrative Hearings: 40 CFR Part 22.

d. Chapter 1 delegation entitled Hearings.

e. Chapter 1 delegation entitled Administrative Proceedings.

John McGraw

Regional Administrator

DEC 20 1996

Date